

# **EXHIBIT A**

EVAN M. ZANIC

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1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
3

4       ANTHONY L. SLAPIKAS and           )  
5       ALICE B. SLAPIKAS,                )  
6           Plaintiffs,                    ) CIVIL ACTION  
7       vs.                                ) No. 2:06-CV-00084-JFC  
8       FIRST AMERICAN TITLE INSURANCE)  
9       COMPANY,                            )  
10           Defendant and                 )  
11           Third-Party Plaintiff,)  
12       vs.                                )  
13       MEZZO LAND SERVICES, LLC,        )  
14           Third-Party Defendant.)

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16  
17           DEPOSITION OF EVAN M. ZANIC,  
18       taken pursuant to the Federal Rules of Civil Procedure,  
19       before Jean Martin Koopman, Court Reporter-Notary  
20       Public in and for the Commonwealth of Pennsylvania, on  
21       Thursday, October 26, 2006, at the law offices of  
22       Watkins, Dulac & Roe, P.C., Two Gateway Center,  
23       17 East, 603 Stanwix Street, Pittsburgh, Pennsylvania  
24       15222, commencing at 9:00 o'clock a.m.

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1 tend to be fairly lengthy, and they don't want to pay  
2 a buck or two bucks a page for the copy. They may  
3 have an image of the first page of the instrument.

4 Q. Is there anything on the mortgage document  
5 itself, do you know, that reflects who acted as the  
6 settlement agent of the prior transaction?

7 The reason I ask is, in Ohio I know, for  
8 example, when someone handles the closing of the  
9 transaction, they stamp their identity on the mortgage  
10 document itself so that when things are recorded, they  
11 know who to send the materials back to.

12 Do you know if that's the practice in  
13 Pennsylvania as well?

14 A. It is, but there has been a little bit of a  
15 change in my understanding. For the longest period of  
16 time, that would, in fact, have been the case where the  
17 settlement agent that conducted the closing would have  
18 all the originals returned to them. Many times today  
19 the "Mail To:" is preprinted on the instrument going  
20 back to the lender directly.

21 If that were the case, you may not see any  
22 reference as to who conducted the closing with regard  
23 to that mortgage. You may; you may not.

24 Q. If it just indicated the name of the lender,  
25 presumably the lender could tell you who the settlement

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1 agent was, if someone were inclined to find out?

2 MR. KING: Objection, calls for  
3 speculation.

4 A. Yes. I don't know what the lender would share  
5 with you or not share if somebody were to call in that  
6 case.

7 MR. DEEGAN: Mark, can we take a  
8 two-minute break?

9 (Recess from 12:00 a.m. to 12:01.)

10 (Deposition Exhibit Nos. 5 and 6  
11 were marked for identification.)

12 BY MR. KOBERNA:

13 Q. Can I identify two documents just so I won't  
14 forget them when we come back?

15 A. Yes.

16 Q. Let me just quickly hand you Exhibits 5 and 6.  
17 Is Exhibit 5 a copy of an "Agency Review Report"  
18 relating to Mezzo Land Services that is Bates stamped  
19 003793 through 003794? That would be Exhibit 5?

20 A. Exhibit 5, yes.

21 Q. Is Exhibit 6 an "Agency Review Report", Bates  
22 stamped 003795 to 003796, relating to Mezzo Land  
23 Settlement, L.L.C.?

24 A. Correct.

25 Q. I'm not going to ask you any more questions

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